

## City of Alexandria, Virginia

## MEMORANDUM

DATE: NOVEMBER 19, 2003

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *ps*

SUBJECT: ADOPTION OF PROPOSED CITY LEGISLATIVE PACKAGE FOR THE 2004 GENERAL ASSEMBLY SESSION

---

**ISSUE:** Adoption of the City's Legislative Package for the 2004 General Assembly Session.

**RECOMMENDATION:** That City Council adopt items 1.A through 1.G, 2.A through 2.V, and 3.A through 3.D, as positions in the City's Legislative Package for the 2004 General Assembly Session, including items 1.B, 1.C, 1.F, and 1.H as proposed revisions to the City Charter.

**1. Requests for Legislation to Be Proposed**

**1.A. Increasing Affordable Housing in New Developments**

Amend the general law to grant the City the authority, in the special use permit process, to base the amount of increases in density that it will give to a developer, in part, upon the developer's provision of affordable housing.

**1.B. Increasing Affordable Housing for City and School Employees**

Amend the Charter to authorize the City to provide loans and grants to City and School employees who purchase homes within Alexandria.

**1.C. Revisions to the City Charter Pertaining to Zoning**

Amend the Charter so that it: (1) preempts all general law provisions governing the initiation of zoning amendments; (2) states that any written or other notice requirements in the general law that are applicable to rezonings or text amendments apply only at the rezoning or text amendment stage of the process, and do not have to be repeated prior to ordinance adoption; and (3) states that the zoning penalty authority conferred on the City by the Charter preempts any general law limitations on zoning penalties.

### **1.D. Revising Virginia's Hate Crimes Laws**

Propose legislation to amend hate crimes laws so that they apply if crimes are directed against a person because of the person's sexual orientation, or the perception of a person's sexual orientation.

### **1.E. Additional Funding for the Mental Retardation Waiver Program**

Propose budget amendments to increase funding for the state Medicaid waiver program for persons who are mentally retarded.

### **1.F. Enforcement Authority for the Human Rights Commission**

Amend the Charter to allow the City to authorize a private cause of action for violations of the City's Human Rights Ordinance, following such a finding by the City's Human Rights Commission.

### **1.G. Privileged Communications: Sexual Assault & Domestic Violence Victims**

Request the State Crime Commission and its Domestic Violence Subcommittee to study the need for further legislation to protect the confidentiality of communications between victims of sexual assault or domestic violence and their advocates.

### **1.H. Cost-of-Living Increases for Council Salaries**

Amend the Charter to authorize the City to provide automatic annual cost-of-living increases to the salaries of the Mayor and Council.

## **2. Requests for Legislation to Be Supported**

### **2.A. Education Funding**

Support: (1) full funding for "rebenchmarked" Standards of Quality (SOQ); (2) funding for the State Board of Education's proposed revisions to the SOQ; (3) funding for the JLARC recommendations on increased SOQ funding; and (4) funding for the Virginia Municipal League's at-risk student initiative.

### **2.B. Tax Restructuring**

Consider carefully any tax restructuring proposal, support any sound proposals which are beneficial for local governments, but oppose initiatives that would diminish local taxing authority or repeal existing taxes without a reliable way to replace the revenues from those taxes.

## **2.C. Revisions to the Red Light Camera Law**

Support legislation to eliminate the sunset provision in the red light camera law.

## **2.D. Stopping for Pedestrians in Crosswalks**

Support legislation requiring drivers to stop (rather than simply yield) for any pedestrian using a crosswalk at a non-signalized intersection on a road where the legal maximum speed does not exceed a given moderate speed.

## **2.E. Increase in State Motor Fuels Tax**

Support an increase to the state motor fuels tax.

## **2.F. Increase in Sales Tax on Motor Fuels in Northern Virginia**

Support an increase to the sales tax on motor fuels in Northern Virginia to help pay for transit costs.

## **2.G. Child Day Care Funding Issues**

Support increased child day care funding.

## **2.H. Payments to Foster Care Parents**

Support an increase to foster care payment rates.

## **2.I. Undocumented Students**

Support legislation that would extend in-state tuition rates to certain undocumented students, as proposed by Governor Warner to the 2003 General Assembly.

## **2.J. Predicate Criminal Acts, Bail Statutes and Street Gang Crimes**

Support legislation to expand the list of gang-related crimes that are considered predicate criminal acts, and to create a rebuttable presumption against bail for alleged violations of criminal street gang statutes.

## **2.K. Increasing the State Cigarette Tax**

Support legislation to increase Virginia's per pack cigarette tax to 75 cents (this would be in addition to any local cigarette tax, which is \$.50 per pack in the City).

## **2.L. Funding for PAPIS – Pre and Post-Incarceration Services**

Support the restoration of funding to Virginia CARES, so that available federal funds can be drawn down to support this program (which helps prisoners make the transition back into society).

## **2.M. Increased Funding for Community Services Block Grants**

Support additional general fund appropriations for Community Services Block Grants.

## **2.N. Additional Funding for Project Discovery**

Support additional funding for Project Discovery.

## **2.O. Funding for Healthy Families**

Support additional general fund appropriations to Healthy Families.

## **2.P. State Tax Relief for Low-Income Virginians**

Support tax restructuring legislation that includes include significant additional tax relief for low-income Virginians.

## **2.Q. Restoration of Civil Rights for Felons**

Support legislation authorizing the General Assembly to provide by statute for the restoration of a felon's voting and other civil rights.

## **2.R. Section 1115 Waivers**

Support the creation and funding of a pilot program for Virginians to participate in the state Medicaid program through the 1115 Waiver Program.

## **2.S. Clean Smokestacks Act**

Support legislation to require every power plant in Virginia to meet the most recent pollution control standards for new pollution sources within five years from enactment of such legislation, or within 30 years of the date the plant commenced operations, whichever occurs later.

## **2.T. Financing of Mixed Income and Mixed Use Projects by the Virginia Housing Development Authority (VHDA)**

Support legislation to allow the Virginia Housing Development Authority (VHDA) to finance both mixed income and mixed use projects.

## **2.U. Issues Endorsed by the Alexandria Commission on Aging**

Support the legislative platform of the Northern Virginia Aging Network (NVAN).

## **2.V. Regulation of Future Rate Increases for Virginia Dominion Power**

Support legislation to allow the State Corporation Commission to consider a utility's profits when it determines whether to allow a rate increase to recover increased costs for fuel purchases.

## **3. Requests for Legislation to Be Opposed**

### **3.A. Virginia Housing Development Authority Loan Eligibility**

Oppose legislation that would prohibit VHDA from making loans to unrelated individuals.

### **3.B. Residential Rental Inspections**

Oppose legislation which would eliminate the City's ability to do annual proactive inspections of dwelling units.

### **3.C. Living Wage**

Oppose legislation to repeal the City's authority to adopt a living wage ordinance.

### **3.D. Telecommunications Taxes**

Oppose legislation that would reduce existing City revenues from telecommunications or lessen the reliability of such revenues.

### **STAFF:**

Bernard Caton, Legislative Director

Michele Evans, Assistant City Manager